

# STORMWATER UTILITY UPDATE

Select Board Meeting, June 20<sup>th</sup>, 2023

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Emily Scerbo PE, Tighe & Bond, Vice President & Stormwater Practice Leader



**Tighe & Bond**



# AGENDA



## **Tonight's Objective:**

Provide an update and obtain feedback from the Board on next steps for establishing a Stormwater Utility

- **Introductions**
- **Ayer's Stormwater Program**
- **History & Past Efforts**
- **Why a Stormwater Utility?**
- **Local & Regional Comparison**
- **Impervious Area**
- **Work to Date**
- **Next Steps**
- **Discussion**

# AYER'S STORMWATER PROGRAM



- **Since 2003, Ayer's Stormwater Management Program has included:**
  - Public Education and Outreach
  - Illicit Discharge Detection & Elimination (i.e., water quality testing of the drain to find pollution)
  - Local Oversight of Construction Sites
  - Local Permitting for New Development and Redevelopment to Control Stormwater Runoff
  - Good Housekeeping and Pollution Prevention in Municipal Operations (e.g., system inspection and maintenance, street sweeping, catch basin cleaning)
- **Learn more at our website:**  
<https://www.ayer.ma.us/stormwater-department>



**My Clean Water Act**



# AYER'S STORMWATER UTILITY HISTORY



- **2011**

- Town Meeting approves Stormwater Utility Enterprise Fund (Article 31), funding mechanism still needs to be developed

- **2014-2015**

- Stormwater Utility Committee develops funding mechanism, includes public meetings and input from stakeholders
- Proposed funding mechanism presented to Select Board, SB votes to fund stormwater through general fund, Town Meeting subsequently votes to eliminate the Fund

- **Why are we here?**

- 2019: DPW presents stormwater updates to Select Board, Board supports revisiting the stormwater utility
- 2020: Capital funds voted at Town Meeting for consultant support to revisit stormwater utility
- 2021-2022: Stormwater Asset Management Plan developed
- 2023: DPW contracts with Tighe and Bond to reevaluate stormwater utility



# WHY A STORMWATER UTILITY?

## Sustainable, Long-Term Funding to Meet Program Goals

- **Asset Management Plan**
  - Replacement value of Ayer's drainage system is over \$90 Million
- **Small MS4 General Permit**
  - Expect more stringent requirements in the new Permit, expected for public comment this year

## Benefits of a Stormwater Fee

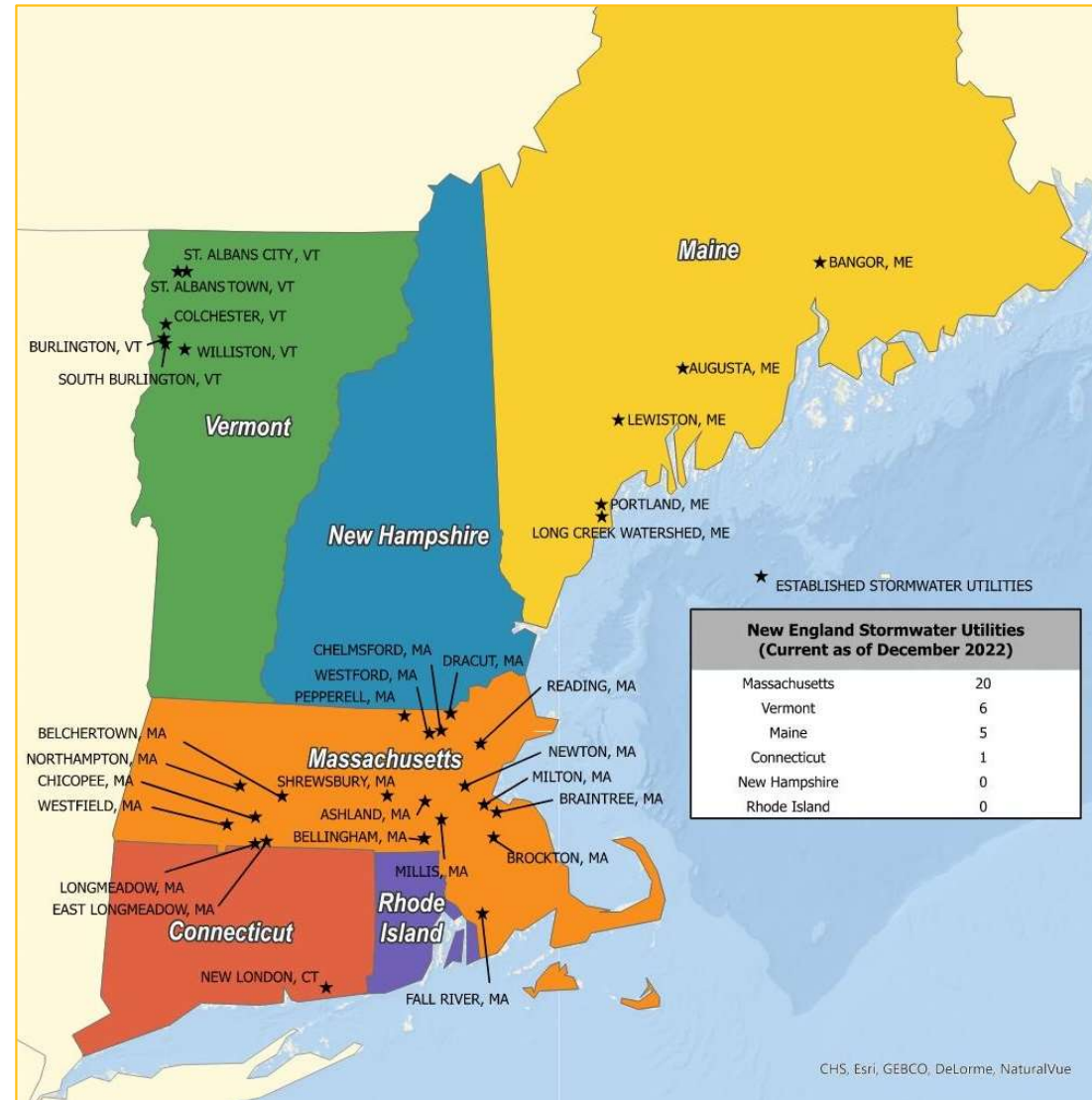
- **Stable:** Dedicated Revenue Source for Financial Sustainability
- **Equitable & Fair:** Based on Stormwater Impact vs. Property Value (Taxes). Includes tax-exempt properties.
- **Flexible:** Utility can pay for all aspects of the program
- **Credit Policy:** Ability to provide a financial incentive for stormwater improvements on private property



# REGIONAL STORMWATER UTILITIES



- Not a New Concept: ~2,000 stormwater utilities in the U.S.
- 20+ in MA as of December 2022
- Must be a clear nexus among Program Cost of Service, User Fees, and Customer Benefits
- Impervious area is the most commonly used method to assess stormwater fees in the U.S.

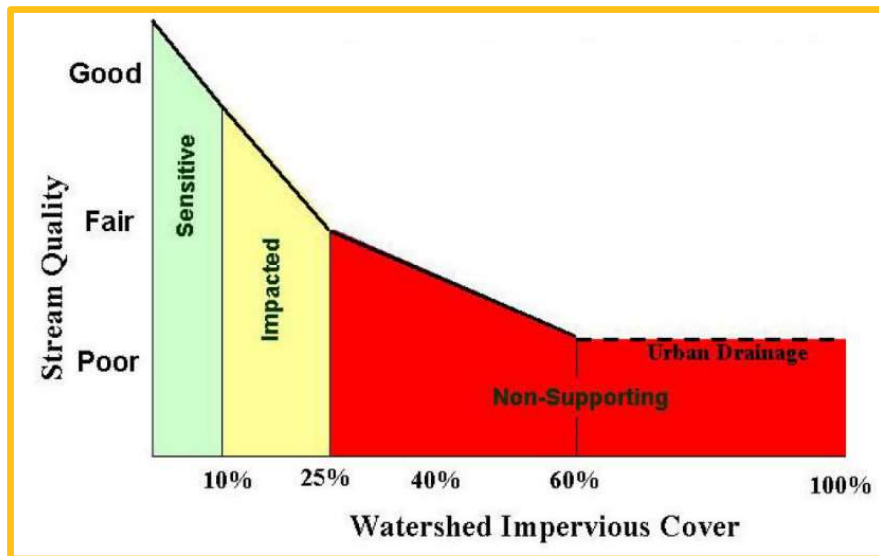


# IMPERVIOUS AREA AS BASIS OF FEE

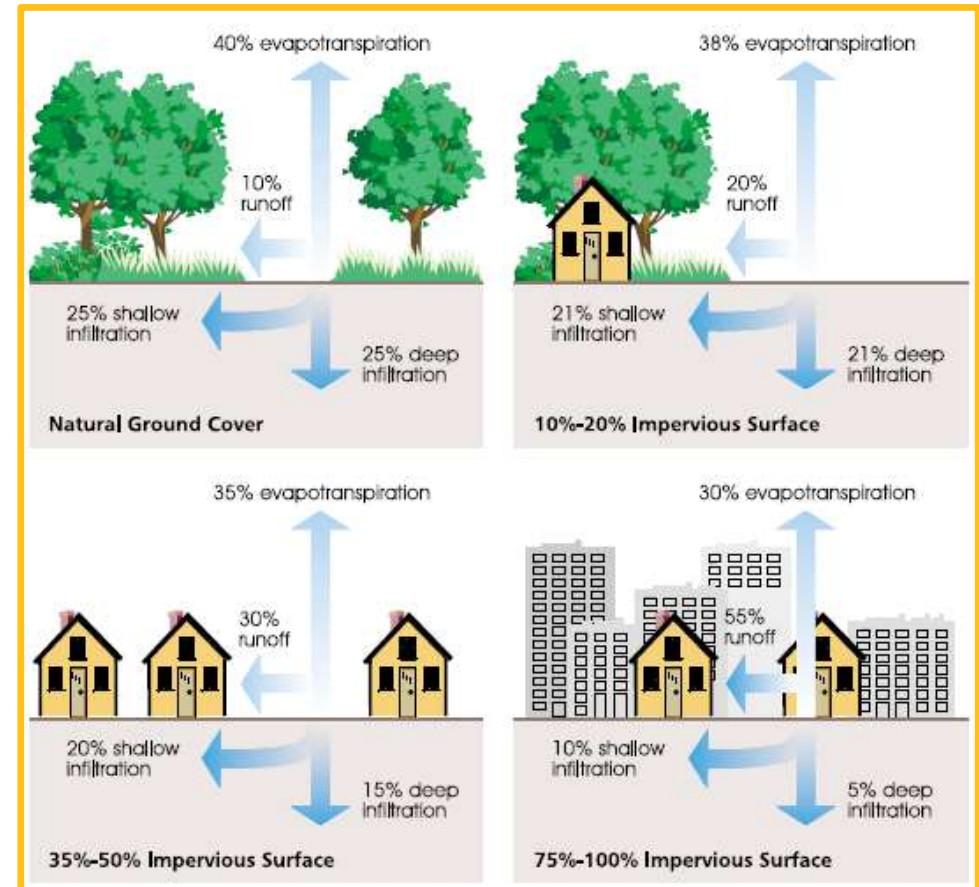


## Impervious Surfaces

Impervious surface area is the most commonly used metric across the United States to charge for costs related to stormwater services. The more impervious area on a property, the more stormwater the property generates and the greater the demand for Town stormwater services.



Ayer's Impervious Area is about 17%



Center for Watershed Protection. 2003. [Impacts of Impervious Cover on Aquatic Systems: Watershed Protection Research Monograph](#). Center for Watershed Protection, Ellicott City, MD. Pages 1-158



# WORK TO DATE IN AYER



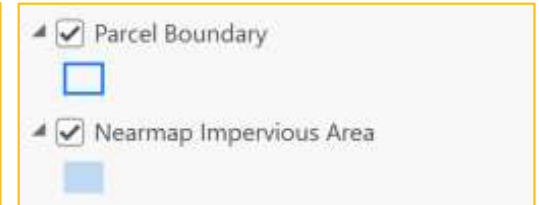
## Example Properties: Single Family Residential (SFR)

- 1 ERU in Ayer is equivalent to 3,200 sq. ft of Impervious Area

Property: 2 Pheasant Circle

IA: 3,195 Square Feet

ERU = 1





# WORK TO DATE IN AYER

## Example Properties: Non-SFR



Property: 7 Faulkner Street – St. Andrews's Church  
IA: 20,316 Square Feet  
ERU = 7



Property: 1 Longview Circle – The Willows Condos  
IA: 294,953 Square Feet  
ERU = 93



# EXAMPLE LOCAL STORMWATER FEE STRUCTURES



	<u>Newton</u>	<u>Bellingham</u>	<u>Milton</u>	<u>Westford</u>
<u>Date Adopted</u>	2006	2020	2016	2019
<u>ERU (Equivalent Residential Unit)</u>	N/A	3,025 ft <sup>2</sup> IA	N/A	3,500 ft <sup>2</sup> IA
<u>SFR Fee</u>	\$100/year Flat Fee	\$96/year Flat Fee for SFR & Condos.	\$40-\$520/year 4 Tiers	\$37.50-\$150/year 5 Tiers
<u>Other Residential</u>	\$100/year Flat fee for 2-4 Unit Res	\$192/year Flat fee 2-3 family	\$2.32 per 100 ft <sup>2</sup> IA	\$75/ERU
<u>Large Res, Commercial, Industrial, Tax Exempt</u>	\$0.047 per ft <sup>2</sup> IA Minimum \$150/year	\$96/ERU	\$2.32 per 100 ft <sup>2</sup> IA	\$75/ERU



# NEXT STEPS & TIMELINE

- **Convene an Advisory Group**
  - First meeting in July and meet regularly throughout the process
- **Refine Budget Projections**
- **Present Rate Structure Alternatives for Discussion**
- **Town Counsel Guidance**
  - Bylaws, Regulations & Town Warrant
- **Outreach Plan & Schedule**
  - Develop & distribute educational materials
  - Stakeholder Workshop
  - Additional Meetings with the Select Board
- **Adoption: Special Town Meeting 2023 or Annual Town Meeting 2024**
- **Develop Credit Policy & Abatements**

# Questions & Discussion

- What is the Board's opinion on the process and timeline?
- All suggestions, questions and concerns welcome

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